

REMARKS

Applicant has carefully considered the Examiner's Office Action and acknowledges with thanks the allowance of claims 12-14 and 20 provided that they are amended to avoid the objections raised by the Examiner.

Applicant has also amended the specification as suggested by the Examiner.

The claims 12-14 and 20, which have been amended, were a direct translation of the corresponding priority application. This direct translation did not provide for proper antecedent basis, nor were the structure and elements claimed in positive form. The claims in the translation were recited in narrative form.

For this reason, applicant has amended the claims 12-14 and 20 so that the claims will define the invention in the clear and definite form that meets the provisions of 35 U.S.C. 112.

In view of the telephone conference held with the Examiner on August 25, 2004, with respect to the claim of priority, applicant is submitting the statement requested by the Examiner in the Office Action on page 3 in the last six lines on this page of the Office Action.

In addition thereto applicant is submitting also a certified copy of the priority document.

As discussed with the Examiner, moreover, applicant is also submitting a supplemental substitute declaration in which the priority is claimed.

In view of these submissions, it is believed that the requirements for the claim of priority have been met.

It is believed that with the present amendments to the specification and the claims, the application is in condition for final allowance.

It is respectfully requested, therefore, that the claims be allowed and the case be passed to issue.

BEST AVAILABLE COPY

Should the Examiner require or consider it advisable that the specification and/or claims be further amended or corrected in formal respects to place the application in condition for final allowance, then it is respectfully requested that such amendments be carried out by Examiner's Amendment, through a phone call to applicant's representative, and the case be passed to issue.

It is noted that the amended claims do not introduce new matter nor do they raise new issues. The amended claims recite precisely all of the subject matter and limitations that are present in the claims that have been considered by the Examiner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D. C. 20231, on 9-10-04

MAX FOGIEL
Name of applicant, assignee, or
Registered Representative
Max Fogiel
Signature
9-10-04
Date of Signature

Respectfully submitted,

By: Max Fogiel
Max Fogiel
44 Maple Court
Highland Park, NJ 08904
Phone: (732) 214-8892

c:\documents\Fogiel\amendments\fritz 338942 amendment 3 9-7-04

BEST AVAILABLE COPY